

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MARLA ADLER, STEPHEN BAUSENWEIN,
AL DEICHLER, MIKE FROST, ED HALPIN,
RICH HERBST, KEVIN KELLY, ARTHUR
LANDSMAN, ERIK MALAGON, JOE O'BRIEN,
JOHN RE and DAN WATTS, on behalf of themselves
and all others similarly-situated,

Plaintiffs,

– against –

20/20 COMPANIES; 20/20 COMMUNICATIONS,
INC.; VERIZON COMMUNICATIONS, INC.;
VERIZON SERVICES, CORP.; BARRY MILLAY, in
his individual and official capacities; WILLIAM
ROWLAND, JR., in his individual and official
capacities; and JASON GREEN, in his individual and
official capacities,

Defendants.

No. CV-09-439(LDW)(ARL)

(PROPOSED) ORDER

A Class Action Settlement Fairness Hearing was held on September 10, 2012. No objections to the terms and conditions of the negotiated settlement were voiced by any named Plaintiff, class member, or interested party. As such, the terms and conditions of the settlement agreement entered into by Plaintiffs and Defendant 20/20 Communications, Inc. and originally submitted to the Court on May 1, 2012 are hereby So Ordered.

The summarized material financial terms of the settlement are as follows:

- The total Settlement Amount is \$550,000.00.
- The gross amount payable to each Participating Class Member will be equal to his or her individual Settlement Share which will be based upon the number of weeks the Participating Class Member was employed during the Class Period; provided however that each Participating Class Member who was employed by or under contract with Defendant 20/20 Communications during the Class Period but who did not receive compensation in connection with such employment or contract during the relevant period shall receive as his or her Settlement Share a total payment reflecting one week of employment only.

- For income and payroll tax purposes, the first ten (10) weeks of each Participating Class Member's Settlement Share payment is in settlement of claims for alleged improper deductions. The remaining payment of each Participating Class Member's Settlement Share shall be deemed earned wages, which shall be subject to required withholdings and deductions and reported as wage income as required by law. The Claims Administrator will report payment of each Participating Class Member's Settlement Share to all necessary governmental authorities, including the Internal Revenue Service, and shall calculate and report to Defendant 20/20 Communications all required deductions, withholdings and payroll tax payments.
- Defendant 20/20 Communications will not be responsible for making any deductions, withholdings or additional payments other than those outlined in the Settlement Agreement.
- Each Class Representative will receive a service payment in the gross amount of five thousand six hundred sixty-six dollars and sixty-seven cents (\$5,666.67) to be paid out of the Qualified Settlement Fund. Each such service payment shall be made in addition to any Settlement Share to which the Class Representative may otherwise be entitled as a Participating Class Member, and will be reported on an IRS Form 1099.
- The fee application submitted by Plaintiffs' Counsel in the amount of \$137,500 inclusive of expenses is granted.

Dated: Central Islip, New York
September __, 2012

SO ORDERED:
